

**TOWN OF NORTH HAVEN, CONNECTICUT  
MINUTES OF THE  
PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, May 5, 2008 at the Mildred A. Wakeley Community & Recreation Center in Room #2 at 7:00 PM.

**MEMBERS PRESENT:**

Dominic Palumbo, Chairman  
James J. Giulietti, Acting Chairman  
Douglas Roberts, Secretary  
Vern Carlson  
Brian Cummings  
William O'Hare, Alternate, left before deliberations  
Antoinetta A. Carmody, Alternate, left before deliberations

**MEMBERS ABSENT:**

John Vanacore, Alternate

**OTHERS PRESENT:**

Alan A. Fredricksen, Land Use Administrator  
Andy Bevilacqua, Acting Town Engineer  
Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Palumbo, Chairman, called the meeting to order at 7:05 PM. He introduced the Commissioners, alternates, town staff and the clerk. Mr. Palumbo explained the procedures for the public hearing. He asked Mr. Fredricksen if there were any changes to the agenda. Mr. Fredricksen stated that applications #P08 – 30, 410 Clintonville Road; #P08-40S, 240-300 Universal Drive North; #P08-41S, 200 Universal Drive North; #P08-42S, 100 Universal Drive North; #P08-40, 240-300 Universal Drive North and #P08-40A, 240-300 Universal Drive North have been postponed to the June 2, 2008 meeting.

**8-24 Referrals**

1. #P08-44     Section 8-24 Referral – Application of the Town of North Haven for an Addition to and Renovation of the Joyce C. Budrow Senior Center, 189 Pool Road.

Mr. Alan Fredricksen, Land Use Administrator and Judy Cormier of the Senior Center, explained the application for an 875 square foot addition and renovations to upgrade the center.

## **PUBLIC HEARING:**

1. #P08-30 Special Permit Application/Certificate of Location (as authorized by Section 8.11.1) of Haven East, LLC, Applicant and Owner, relative to 410 Clintonville Road, (Map 69, Lot 5). Plan Entitled: Topographic/Boundary Map, Prepared by Martinez Couch & Associates, LLC, Dated 9/7/01. Scale 1" = 10'. R-40 Zoning District.

The application was postponed to the June 2, 2008 meeting.

2. #P08-34 Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Timothy J. Lee on behalf of James Nan, Applicant, 354 Washington Avenue, LLC, Owner, relative to 344 Washington Avenue, (Map 85, Lot 123). Plan Entitled: As-built, Property Located at 344-354 Washington Avenue, North Haven, Connecticut, Prepared by Criscuolo Engineering, LLC, Dated 3/22/04, rev. 2/6/08. Scale 1" = 30'.

Attorney Timothy Lee presented the application for location approval of a liquor license for a sushi restaurant located at 344 Washington Avenue. A variance was granted by the Zoning Board of Appeals to allow the liquor permit within  $\pm$  350' of a school.

Mr. Palumbo asked for public comment.

Being none, the public hearing was closed.

3. #P08-43 Zone Change Application of Connell Associates Architects, P.C., Applicant, 162 State Street, LLC, Owner, relative to 160-164 State Street, (Map 51, Lots 13&14). Plan Entitled: Zone Change Application, Property of 160-166 State Street, North Haven, CT. Prepared by Neriani Surveying, Dated April 8, 2008. Scale 1" = 30'. O-12/CB-40 Zoning Districts.

John Milone, PE with Milone and McBroom presented the zone change application. The west side of the 4.8 acre site on State Street has .8 acres that abut the 0-12 zone. The applicant would like the zone to be changed to a CB-40 zone for office use. The zone change will allow parking near the property line and still allow for an appropriate buffer area. Mr. David Connell of Connell Associates further explained the zone change. The Commission asked a few more questions and Mr. Connell responded.

Mr. Palumbo asked for public comment.

Being none, the public hearing was closed.

Mr. Palumbo moved to close the public hearing session at 7:20 PM.; Mr. Cummings seconded the motion. All were in favor.

## **SITE PLANS:**

4. #P08-35 Site Plan Application of Timothy J. Lee, Applicant, Vincent and Carol Cangiano, Owner, relative to 85 Middletown Avenue, (Map 7, Lot 29). Plan Entitled: Site Development Plan for Proposed "Rite Aid" Pharmacy, 85 Middletown Avenue at Quinnipiac Avenue, Town of North Haven, New Haven County, Connecticut. Prepared by Bohler Engineering, P.C., Dated 1/18/08. Scale 1" = 30'. CB-20 Zoning District.

Attorney Timothy Lee presented the application for a Rite Aid Pharmacy. The applicant is proposing to demolish the old building and build a new 14,673 square foot building which is smaller than the existing building. Three decorative streetscape lights and four cherry trees will remain in their existing locations or be relocated. The length of the sidewalk will be increased. A letter from Mark Papa, landscape architect, dated May 5, 2008, suggested that the decorative lighting, cherry trees and sidewalk be integrated into the proposed site design.

Mr. Fredricksen asked about the landscaped islands and the underground irrigation system. Lou Destefano of Bohler Engineering stated that the entire perimeter will be irrigated along with any newly landscaped areas. Mr. Roberts and Mr. Giulietti would like to see decorative lighting incorporated throughout the site. Mr. Bob Landino of Center Plan further discussed site lighting. Mr. Carlson asked about the variety of trees being proposed. Mr. Destefano responded.

Mr. Andy Bevilacqua, Acting Town Engineer, asked about excavation and soil testing. Mr. Destefano said he would submit a geotech report. Mr. Andy Bevilacqua asked about DOT requirements. Mr. Destefano said there were no DOT issues. Mr. Giulietti and Mr. Cummings asked about the traffic flow. Mr. Destefano responded.

5. #P08-36 Site Plan Application of Barry Steinberg, Applicant, Yuentak Cheung, Owner, relative to 585 Washington Avenue, (Map 95, Lot 37). Plan Entitled: Sip's and Casa Nostra, 585 Washington Avenue, North Haven, Connecticut. Prepared by Steinberg Associates, Dated 4/21/08. Scale 1" = 20'. IL-30 Zoning District.

Mr. Barry Steinberg of Steinberg Associates presented the application for a restaurant (Casa Nostra) to be located at 585 Washington Avenue in the northeast corner where Sip's Café is currently located. Sip's Café will remain in this development along with a manufacturing business. The dumpster will be enclosed. The existing landscaping and lighting is adequate. A walkway will be added in the rear so Sip's can unload supplies. Also, a second rear entrance will be added for emergency use.

Mr. Giulietti asked about parking. Mr. Steinberg stated that 51 parking spaces are being proposed. Mr. Fredricksen and Mr. Steinberg further explained the proposed parking. Mr. Fredricksen asked about curbing. Mr. Steinberg stated that there will be no curbing in front due to handicap parking and that a new sidewalk is being proposed.

The new restaurant can accommodate 40 people; Sip's Café can accommodate 30 people so Mr. Roberts is concerned with the amount of parking spaces. Mr. Andy Bevilacqua asked about the drainage system. Mr. Steinberg responded.

6. #P08-37 Site Plan Application of Donald Aurora, Applicant, Luciani Realty, Owner, relative to 117 Washington Avenue, (Map 73, Lots 9&5). Plan Entitled: As-Built Site Plan, 117 Washington Avenue, North Haven, CT. Prepared by John Paul Garcia & Assoc., Dated 5/25/06. Scale 1" = 40'. IL-30/CA-20 Zoning Districts.

Donald and Jenny Aurora, owners of the dog grooming school, at 117 Washington Avenue are requesting to move next door into the old Picture Perfect location for additional space. Mr. Luciani, owner of the property, is concerned with parking. Mr. Fredricksen asked about the lack of landscaped islands and 2" caliper trees. He also asked the Commission about what improvements they would like to see done on this site.

7. #P08-38 Site Plan Application of United Aluminum Corporation, c/o George Hennessey, Applicant, John S. Lapidès, Owner, relative to 100 United Drive, (Map 28, Lot 8). Plan Entitled: United Aluminum Corporation, 100 United Drive, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC, Dated 3/14/08. Scale 1" = 50'. IG-80 Zoning District.

8. #P08-38A CAM Application of United Aluminum Corporation, c/o George Hennessey, Applicant, John S. Lapidès, Owner, relative to 100 United Drive, (Map 28, Lot 8). Plan Entitled: United Aluminum Corporation, 100 United Drive, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC, Dated 3/14/08. Scale 1" = 50'. IG-80 Zoning District.

The Commission elected to hear applications #P08-38 and # P08-38A together.

Mr. Bob Criscuolo of Criscuolo Engineering presented the application. A 5,760 square foot addition will be located on the eastern portion of the 16 acre site. Mr. Fredricksen stated that the Inland Wetland's Commission sent a positive referral to the Planning & Zoning Commission. Mr. Criscuolo asked to waive the sidewalks.

9. #P08-39 Site Plan Application of the Hertz Corporation – Declan Monaghan, Applicant, 440 Sackett Point, LLC – Earl Tucker, Jr., Owner, relative to 440 and 444 Sackett Point Road, (Map 35, Lots 3 & 4). Plan Entitled: Property & Topographic Survey, Property of 440 Sackett Point, LLC, 440 & 444 Sackett Point Road, North Haven, Connecticut. Prepared by Godfrey-Hoffman Associates, LLC, Dated 05-03-06, rev. 3/11/08. Scale 1" = 20'. IG-80 Zoning District.

10. #P08-39A CAM Application of the Hertz Corporation – Declan Monaghan, Applicant, 440 Sackett Point, LLC – Earl Tucker, Jr., Owner, relative to

440 and 444 Sackett Point Road, (Map 35, Lots 3 & 4). Plan Entitled: Property & Topographic Survey, Property of 440 Sackett Point, LLC, 440 & 444 Sackett Point Road, North Haven, Connecticut. Prepared by Godfrey-Hoffman Associates, LLC, Dated 05-03-06, rev. 3/11/08. Scale 1" = 20'. IG-80 Zoning District.

The Commission elected to hear applications #P08-39 and #P08-39A together.

Mr. Conrad Brejwo with Godfrey Hoffman Associates presented the application to incorporate a refueling station in the northwest corner of the Hertz Rental site. A 1000 gallon gas tank and a 4000 gallon diesel tank are being proposed for this site. The tanks will be protected with bollards. A 44' x 38' canopy is also being proposed for a wash bay for washing rental equipment. The water discharged from the wash bay will be recycled back to the wash center.

The applicant is proposing to decrease paved and gravel areas, increase grassed areas, add seven Pin Oak trees, re-stripe the front parking space to meet handicap requirements, and relocate and enclose the dumpster. There is no additional site lighting being proposed. Mr. Carlson asked about landscaping. Mr. Brejwo responded.

Mr. Giulietti asked about irrigation and the bollards for the refueling station. Mr. Brejwo said they can bring in an irrigation system only for the smaller portion of the landscaped area and further explained the type of bollards being used for the refueling station. Mr. Giulietti was concerned about the refueling station being too close to the CAM area. Mr. Bevilacqua suggested having spill equipment located nearby the refueling station. Mr. Michael Espasa, Senior Project Manager at Hertz, further discussed the concerns with the fueling tanks. He also explained that runoff from the wash area will be redirected by swales.

**BREAK: 8:40 – 8:48 PM**

**CHANGE OF USE:**

55 State Street

Mike Monaghan, owner of Rae's Driving School, currently located at 380 Washington Avenue wants to relocate to 55 State Street. Driving classes will consist of 10 to 30 students. Students will be dropped off, so there will be adequate parking. Hours of operation are Tuesday, Wednesday, Thursday; 6:00 – 9:00 PM and Saturday 8:30 to 10:30 AM.

Mr. Carlson moved to approve the Change of Use for 55 State Street; Mr. Roberts seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

### 139 Middletown Avenue

Mr. Joseph Sorrentino is requesting to relocate a meat market to 139 Montowese Avenue the building is currently being used as office space.

Mr. Carlson moved to approve the Change of Use for 139 Middletown Avenue; Mr. Giulietti seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

**BREAK: 8:54 – 9:06 PM**

### **DELIBERATION SESSION:**

Mr. Carlson moved to go into deliberations; Mr. Roberts seconded the motion. All were in favor.

1. #P08-44 Section 8-24 Referral – Application of the Town of North Haven for an Addition to and Renovation of the Joyce C. Budrow Senior Center, 189 Pool Road.

Mr. Roberts moved to approve the Section 8-24 Referral for an addition to and renovation of the Joyce C. Budrow Senior Center; Mr. Carlson seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

2. #P08-34 Special Permit Application/Certificate of Location (as authorized by Section 8.10.1) of Timothy J. Lee on behalf of James Nan, Applicant, 354 Washington Avenue.

Mr. Giulietti moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions.

3. #P08-43 Zone Change Application of Connell Associates Architects, P.C., Applicant, 162 State Street, LLC, Owner, relative to 160-164 State Street.

Mr. Carlson moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions

**SITE PLANS:**

4. #P08-35 Site Plan Application of Timothy J. Lee, Applicant, Vincent and Carol Cangiano, Owner, relative to 85 Middletown Avenue.

Mr. Carlson moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions.

5. #P08-36 Site Plan Application of Barry Steinberg, Applicant, Yuentak Cheung, Owner, relative to 585 Washington Avenue.

Mr. Carlson moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions.

6. #P08-37 Site Plan Application of Donald Aurora, Applicant, Luciani Realty, Owner, relative to 117 Washington Avenue.

Mr. Carlson moved to approve the application; Mr. Giulietti seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The Commission stated the following:

1. A revised site plan must be submitted showing all improvements.
2. Improvements must include adding (3) islands and (1), 2” caliper tree for each island on the property.
3. Submit an \$8,000.00 bond.
4. There shall be a one year time limit to complete all work.

7. #P08-38 Site Plan Application of United Aluminum Corporation, c/o George Hennessey, Applicant, John S. Lapides, Owner, relative to 100 United Drive.

Mr. Roberts moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved with Inland Wetlands comments and a waiver of the sidewalks.

8. #P08-38A CAM Application of United Aluminum Corporation, c/o George Hennessey, Applicant, John S. Lapidus, Owner, relative to 100 United Drive.

Mr. Carlson moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved.

9. #P08-39 Site Plan Application of the Hertz Corporation – Declan Monaghan, Applicant, 440 Sackett Point, LLC – Earl Tucker, Jr., Owner, relative to 440 and 444 Sackett Point Road.

Mr. Giulietti moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved with appropriate conditions.

10. #P08-39A CAM Application of the Hertz Corporation – Declan Monaghan, Applicant, 440 Sackett Point, LLC – Earl Tucker, Jr., Owner, relative to 440 and 444 Sackett Point Road.

Mr. Giulietti moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye

The application was approved.

**INFORMAL PRESENTATION:** None

**OTHER:** Executive Session with Town Attorney to discuss pending litigation.

Kings Highway Assoc. Et Al vs. Planning & Zoning Commission.

Mr. Carlson moved to go into Executive Session; Mr. Roberts seconded the motion. Invited by the Commission to attend the Executive Session are Mr. John Parese, Town Attorney, Mr. Alan Fredricksen, Land Use Administrator and Mr. Andy Bevilacqua, Acting Town Engineer. The Commission voted as follows:

Palumbo – aye Giulietti – aye Roberts – aye Carlson – aye Cummings – aye



**EXTENSIONS:** None

**BOND RELEASES & REDUCTIONS:** None

**CORRESPONDENCE:** - Nelcon/Connecticut Handi-van

Mr. Fredricksen explained that he is waiting for a response from Saleem Kahn regarding this issue of noise from sirens and back-up beepers in the middle of the night. Mr. Fredricksen would like Mr. Khan to come before the Commission to review discrepancies in the site plan. The Commission suggested to send a letter giving 15 days to respond, in writing, to site plan conditions that have not been met and noise issues.

- FEMA letter dated April 14, 2008

Mr. Bevilacqua told the Commission that FEMA revised their mapping for more accuracy.

- Pat Ferraro, Pondview Estates Association  
letter dated March 13, 2008.

Mr. Roberts read a letter from Pat Ferraro, President of the Pondview Estates Association asking to be heard before bonds are reduced or released.

- Conn. Federation of Planning & Zoning Agencies,  
Quarterly Newsletter, Spring 2008.

**MINUTES:**

April 7, 2008

Mr. Carlson moved to approve the minutes of April 7, 2008; Mr. Giulietti seconded the motion. The Commission voted as follows:

Giulietti – aye Roberts – aye Carlson - aye Cummings – aye

**ADJOURN:**

There being no further business, Mr. Carlson moved to adjourn; Mr. Roberts seconded the motion. The meeting was adjourned at 10:01 PM.